

Date

Mr. Ronnie Jones
7 Trianon Plaza
New Orleans, La. 70125

Re: Ethics Board Docket No. 2020-869

Dear Mr. Jones:

The Louisiana Board of Ethics, at its February 5, 2021 meeting, considered your request for an advisory opinion regarding whether the post-employment restrictions in the Louisiana Code of Governmental Ethics and post-employment restrictions from La. R.S. 27:13 would prohibit you as a former Chairperson of the Louisiana Gaming Control Board from serving on the advisory board of Entain, a foreign gaming corporation.

FACTS PROVIDED

You stated that you were appointed Chairman of the Gaming Control Board by Governor Jindal in August 2013 and at the conclusion of your 6-year term was reappointed to the position by Governor Edwards effective July 1, 2019. The Senate did not approve your reappointment on June 2, 2020. Therefore, your public service was terminated July 1, 2020.

You provided that Entain (<https://entaingroup.com/>) is based in England. That Entain has never been licensed in the state of Louisiana, does not currently hold a gaming license or permit in the state, Entain does not have a pending application for a license or permit in the state and you never had any contact whatsoever with the Entain during the entirety of your term as Chairman. Additionally, Entain has established a 50/50 partnership with MGM Resorts to offer a sports betting platform in the U.S. MGM Resorts is licensed in a number of states but has never been, nor are they now licensed in the state of Louisiana. You never exercised any regulatory authority over MGM Resorts.

The State of Louisiana created the Louisiana Gaming Control Board in La. R.S. 27:11 et. Seq. La. R.S. 27:13(7)(a) provides that no board member or board employee shall represent the interests of any individual or entity, other than the board's interests, before the board for a period of five years following the date of termination of the person's term or employment with the board. Further, LA. R.S. 27:19 provides that the attorney general or his designee shall be the legal advisor and legal representative to the board, chairman, and office of state police relative to all gaming matters under the board's jurisdiction, and in all legal proceedings. LA R.S. 27:63C C.(1) The members of the commission, the supervisor, and all employees of the commission and the division shall be subject to the Code of Governmental Ethics. In addition, the commission shall adopt a code of ethics for officers and employees.

LAW

La. R.S. 42:1121(A)(1) prohibits a former agency head, for a period of two years from the termination of his public service as the head of such agency, from assisting another person for compensation, in a transaction, or appearance in a connection with a transaction, involving that agency or rendering any service on a contractual basis to that agency.

La. R.S. 42:1121(A)(2) prohibits former members of boards or commissions, for a period of two years following the termination of their public service on such board or commission, from contracting with, being employed in any capacity by, or being appointed to any position by that board or commission.

CONCLUSION

The Board concluded and instructed me to inform you that under the facts provided, you would not be prohibited by La. R.S. 42:1121A from accepting a position as an advisory board member of Entain. However, R.S. 42:1121A would prohibit you for two years from assisting Entain for compensation, in a transaction, or appearance in a connection with a transaction, involving your former agency, the Louisiana Gaming Control Board. Additionally, the Board requested that I advise you that for an interpretation of La. R.S. 27:13 you should seek an Opinion of the Louisiana Attorney General's Office.

This advisory opinion is based solely on the facts as set forth herein. Changes to the facts presented may result in a different application of the provisions of the Code of Ethics. The Board issues no opinion as to past conduct or laws other than Code of Governmental Ethics. If you have any questions, please contact me at (225) 219-5600 or (800) 842-6630.

Sincerely,

LOUISIANA BOARD OF ETHICS

Suzanne Quinlan Mooney
For the Board

This is a draft opinion and it is NOT a final opinion of the Louisiana Board of Ethics. It is provided for discussion purposes only, and are subject to change or revision at the meeting. The analysis and conclusions herein are not to be considered.